

FROM THE EDITOR...

Welcome to the Winter 2006 issue of the NSBDE News Update. Included in this issue you will find information regarding the most current changes made by the Nevada State Legislature to the rules and regulations licensees must follow (as of this writing). If you have any questions regarding these changes, please contact the NSBDE Administrative Office at (702) 486-7044 or 800-337-3926.

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NEWS UPDATE

WREB and Temporary Licenses Focus of SB 85

The 2005 session of the Nevada State Legislature has brought many changes to the rules and regulations that govern dentists and dental hygienists in Nevada.

Senate Bill 85, authored by Senator Maggie Carlton, makes two distinct changes, which affect those intending to practice in Nevada.

Under previously existing law, an applicant for a permanent general license to practice dentistry must pass the clinical examination administered by the NSBDE (NRS 631.240). Senate Bill 85

amends existing law by giving the applicant the option of passing the Board's clinical examination or, effective July 1, 2005, presenting the Board proof that he has passed the Western Regional Examining Board's (WREB) clinical examination within the five years immediately prior to applying for licensure.

Additionally, existing law authorizes the Board to issue temporary licenses to practice dentistry to those who are licensed in another jurisdiction and meet all qualifications.

This provision will expire June 30, 2006 (NRS 631.272; Section 12 of Chapter 340, Statutes of Nevada 2001, at page 1614).

Those who hold temporary licenses on July 1, 2006, can continue to practice under the temporary license until December 31, 2008, or until the person applies for and is issued or denied a permanent license, whichever period is shorter.

If you have questions regarding the WREB or temporary licenses, contact the NSBDE Administrative Office.

More Changes on the Way Through SB 250

In addition to the changes established by Senate Bill 85, changes were made to the statutes NSBDE and all licensees must follow through Senate Bill 250. This bill was also authored by Senator Maggie Carlton.

The following is a brief synopsis of each change:

NSBDE consists of 11 members, including three dental hygienists. Currently, the dental hygiene members are prohibited from grading any portion of the licensing exam for dentists. SB 250 allows the dental hygiene members to participate in the licensing exam for dentists. However, they will still be prohibited from grading the clinical portion of the exam.

Existing law prohibits a person from practicing dentistry without a license (NRS 631.395, 631.400) and defines activities considered "practicing dentistry" (NRS 631.215). SB 250 further defines "practicing dentistry" to include: the use of x-ray or laser radiation for dental diagnosis or treatment or the use or dispensing of certain tooth whitening agents (over-the-counter products excluded), unless authorized by regulation of the board.

Under current law, NSBDE can issue temporary licenses to practice dental hygiene to those licensed in another jurisdiction and who meet qualifications. NSBDE will not be issuing temporary licenses after July 1, 2006.

NOTE: Anyone who holds a temporary license on July 1, 2006, can continue to practice under the temporary license until December 31, 2008, or until he applies for and is issued or denied a permanent license, whichever period is shorter.

Current law establishes certain requirements that an applicant must satisfy before receiving a license to practice dentistry or dental hygiene, including requirements concerning age, citizenship, education and character (NRS 631.230, 631.290). This bill restates the existing requirements concerning age, citizenship, education and character to each of the licensing statutes administered by NSBDE.

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NSBDE Remembers Dr. Stephen C. Vaughn

On October 18, 2005, a member of the Nevada State Board of Dental Examiners, Dr. Stephen C. Vaughn, D.D.S., passed away after battling cancer. Dr. Vaughn was 49 years old.

Dr. Vaughn will be remembered as a professional who was dedicated to dentistry and promoting good dental health throughout the state of Nevada.

He was a caring individual who served the NSBDE with the highest degree of integrity for more than six years. He was an advocate for underserved and uninsured children and adults. He dedicated his time and talent to providing free dental services to both children and adults who otherwise would not have had dental care.

Dr. Vaughn was a tireless examiner for the NSBDE and WREB. He was a natural teacher who helped the newer exam-

iners with the calibration process for dental and dental hygiene examination. His fellow examiners will remember his dedication, commitment to excellence and fairness - as well as his wonderful sense of humor.

Dr. Vaughn's laugh and smile will be missed by all those who had the pleasure to work with him.

In addition to being a member of the NSBDE, Dr. Vaughn was a member of the American Dental Association, Nevada Dental Association, Northern Nevada Dental Society, The Pierre Fauchard Academy of Dentistry, American Association of Dental Examiners, Northern Nevada Citizens for Healthy Smiles and the Joint Commission on National Dental Examinations.

Members of the NSBDE and its Administrative Office extend their thoughts and

condolences to Dr. Vaughn's family, staff and patients. He will be truly missed.

NSBDE Important Dates*

March 2006

6 – Jurisprudence Exam, 10 a.m. & 2 p.m.
23 – NSBDE Board Meeting, 6 p.m.

April 2006

3 – Jurisprudence Exam, 10 a.m. & 2 p.m.
27-30 – WREB Administered at UNLV

May 2006

1 – Jurisprudence Exam, 10 a.m. & 2 p.m.
9 – NSBDE Dental Clinical Exam Deadline, 5 p.m.
10 – NSBDE Dental Hygiene Clinical Exam Deadline, 5 p.m.
18 – NSBDE Board Meeting, 6 p.m.
29 – NSBDE Administrative Office Closed

*Meeting dates are subject to change. Unless noted, meetings are conducted at the NSBDE Administrative Offices in Las Vegas. Meetings may be video conferenced to Reno. A complete calendar and all meeting notices are posted online: www.nvdentalboard.org.

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Existing law allows NSBDE to issue a limited license for dentistry or dental hygiene to applicants who will practice as a dental intern, a dental resident or an instructor of the University or Community College System of Nevada (NRS 631.271). SB 250 sets additional requirements that an applicant must meet to be issued a limited license.

Currently, a board of county commissioners is allowed to request a waiver of certain licensing requirements for those who will practice dentistry or dental hygiene in an underserved rural area of the county. If a waiver is granted by NSBDE, the applicant receives a restricted geographical license for that county only (NRS 631.274). This bill authorizes two or more boards of county commissioners to make a joint request for a waiver on behalf of applicants who intend to practice in underserved rural areas within multiple counties. If a waiver is granted, the applicant receives a restricted geographical license covering those counties.

Presently, those applying for a dental hygiene license must have graduated from an institution that awards at least an associate's degree and is accredited by a regional educational accrediting organization recognized by the US Department of Education (NRS 631.290). SB 250 requires an applicant be a graduate of a program of dental hygiene from an accredited regional educational accrediting organization recognized by the US Department of Education.

As it now stands, those applying for a permanent dental hygiene license must pass the NSBDE exam (NRS 631.300). SB 250 allows that applicant the option of either passing NSBDE's clinical examination or, effective July 1, 2005, presenting the Board with a certificate establishing that he has passed the WREB clinical examination within the last five years immediately prior to applying for licensure.

Existing law requires dentists and dental hygienists to renew their licenses each year (NRS 631.330) and establishes

maximum limits on fees the Board may charge for the issuance and renewal of licenses (NRS 631.345). SB 250 requires dentists and dental hygienists who hold certain licenses to renew their license every two years and also increases the maximum limits on the fees the Board may charge.

At present, NSBDE may deny an application for a license or take disciplinary action against a licensee when there is *proof satisfactory* that the person has engaged in certain unlawful or unprofessional conduct. SB 250 amends the Board's standard of proof to **substantial evidence** which is the standard of proof generally followed by state agencies under the Nevada Administrative Procedure Act (NRS 233B.135)

For information regarding these changes, call, (702) 486-7044 or 800-337-3926.

Permanent Regulations Regarding Lasers Adopted

At a publicly noticed meeting on December 22, 2005, NSBDE adopted a permanent regulation regarding the use of lasers by dentists and dental hygienists.

The permanent regulation became effective December 29, 2005 upon filing with the Nevada Secretary of State. The permanent regulation and its affect on licensees is stated as the following Exhibit:

A regulation relating to dentistry; requiring an applicant for a license to practice dentistry or dental hygiene and a licensee renewing his license who uses or wishes to use laser radiation in his practice to provide certain information and proof to NSBDE; providing that a dentist who is licensed in this State may authorize a dental hygienist to apply and activate agents for bleaching teeth with a light source; providing that a dentist who is licensed in this State may authorize a dental hygienist to use a laser that has been cleared by the Food and Drug Administration for certain periodontal procedures and tooth whitening procedures under certain circumstances; and providing other matters properly relating thereto.

Section 2 of the regulation states each licensee who uses or wishes to use laser radiation must include with his application for license renewal the following:

1. A statement certifying that each laser used by the licensee in his practice of dentistry or dental hygiene has been cleared by the Food and Drug Administration;
2. Proof that he has successfully completed a course in laser proficiency that: (a) Is at least 6 hours in length; and (b) Is based on the "Curriculum Guidelines and Standards for Dental Laser Education."

Section 3 of this regulation states that NSBDE has adopted the reference "Curriculum Guidelines and Standards for Dental Laser Education," recognized by the Academy of Laser Dentistry. NSBDE will periodically review this reference to determine necessary changes.

A copy of the "Curriculum Guidelines and Standards for Dental Laser Education" is available for free from the Academy of Laser Dentistry.

- (a) By mail, at P.O. Box 8667, Coral Springs, Florida 33075;
- (b) By telephone, at (954) 346-3776; or
- (c) By logging on to http://www.laserdentistry.org/prof/edu_curriculumguidelines.cfm

In addition to licensees providing the above listed information to NSBDE at license renewal, it is also the obligation of each supervising dentist to obtain from each dental hygienist who uses or wishes to use laser radiation proof that she has successfully completed a course in laser proficiency that is at least 6 hours in length, and is consistent with the curriculum guideline reference.

Also, each supervising dentist must have completed a course in laser proficiency that is at least 6 hours in length and consistent with the curriculum guideline reference in order for his hygienist to utilize a laser.

The dental hygienist must obtain authorization from the licensed dentist of the patient on whom the services are to be performed.

Section 6 of the permanent regulation states:

Notwithstanding the provisions of section 2 of this regulation; a licensee who, on the effective date of this regulation, is using laser radiation in his practice of dentistry or dental hygiene is not required to comply with the provisions of Section 2 of this regulation:

1. *Until 1 year after the effective date of this regulation; or*
2. *Until June 30 of the year in which his license is required to be renewed pursuant to NRS 631.330, whichever occurs later.*

For more information regarding the use of lasers by licensees, contact the NSBDE Administrative Office at (702) 486-7044 or 800-337-3926. (Please refer to www.nvdentalboard.org "Rulemaking" for the complete listing of the new regulation and how it affects you.)

Disciplinary Action

NSBDE has taken disciplinary action against the following individuals since October 1, 2005. A copy of the stipulation agreement or order approved by the Board may be obtained by written request to the NSBDE Administrative Office.

Silva Battaglin, DMD
License #: 4191
Date: 11/15/2005

Michael J. Stafford, DDS
License #: 0826
Date: 11/15/2005

Gerald P. Rampton, DMD
License #: 2337
Date: 12/22/2005

Jay K. Selznick, DMD, MD
License #: 2893
Date: 12/15/2005

Nevada State Board of
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New Renewal Schedule, Fee Regulations Set

Effective July 1, 2005, the Nevada Legislature authorized NSBDE to initiate biennial license renewal, allowing dentists and dental hygienists the convenience of renewing their license every two years (Limited Licensees and Restricted Licensees must renew annually). Dental hygienists renew their licenses in even-numbered years and dentists renew in odd-numbered years. License renewal applications, and all required supporting documentation, is still due on or before June 30 of each renewal year. Late renewals are subject to suspension pursuant to NRS 631.330.

Although license renewal is now required only every other year, licensees are still responsible for completing continuing education requirements on a yearly basis. For example, when a dentist renews his license by June 30, 2007, he must note continuing education classes taken for July 1, 2005-June 30, 2006 and July 1, 2006-June 30, 2007 on the renewal form and include certificates of course completion.

The same is true for dental hygienists. In June 2006, dental hygiene licensees must show proof of continuing education courses for the period July 1, 2005-June 30, 2006 year only. However, in 2008, they must show proof for both the 2006-07 and the 2007-08 years. Continuing education hours may not be transferred or carried over and are to be completed annually.

All other requirements for license renewal remain in effect.

In addition to the change in renewal schedule, the fee schedule has been established in regulation. The current fee schedule, adopted by the board December 22, 2005, is as follows:

- Application fee for an initial license to practice dentistry - \$1,200*
- Application fee for an initial license to practice dental hygiene - \$600*
- Application fee for a temporary license to practice dentistry - \$1,200
- Application fee for a temporary license to practice dental hygiene - \$600
- Application fee for a specialty license by credential - \$1,200
- Application fee for a temporary restricted geographical license to practice dentistry - \$600
- Application fee for a temporary restricted geographical license to practice dental hygiene - \$150
- Application fee for a specialist's license to practice dentistry - \$125
- Application fee for a limited license or restricted license to practice dentistry or dental hygiene - \$125
- Application and examination fee for a permit to administer general anesthesia, conscious sedation, or deep sedation - \$350
- Application and examination fee for a site permit to administer general anesthesia, conscious sedation or deep sedation - \$350

- Fee for any re-inspection required by the Board to maintain a permit to administer anesthesia, conscious sedation or deep sedation - \$250
- Biennial renewal fee for a permit to administer general anesthesia, conscious sedation or deep sedation - \$100
- Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, conscious sedation or deep sedation - \$100
- Biennial license renewal fee for a general license or specialist's license to practice dentistry - \$600
- Biennial license renewal fee for a temporary license to practice dentistry - \$600
- Biennial license renewal fee for a restricted geographical license to practice dentistry - \$600
- Biennial license renewal fee for a restricted geographical license to practice dental hygiene - \$300
- Biennial license renewal fee for a general license to practice dental hygiene - \$300
- Biennial license renewal fee for a temporary license to practice dental hygiene - \$300
- Annual license renewal fee for a limited license to practice dentistry or dental hygiene - \$100
- Annual license renewal fee for a restricted license to practice dentistry - \$100
- Biennial license renewal fee for an inactive dentist - \$200
- Biennial license renewal fee for an inactive dental hygienist - \$50
- Reinstatement fee for a suspended license to practice dentistry or dental hygiene - \$200
- Reinstatement fee for a revoked license to practice dentistry or dental hygiene - \$350
- Reinstatement fee to return an inactive, retired, or disabled dentist or dental hygienist to active status - \$200
- Fee for the certification of a license - \$25
- Fee for the certification of a license to administer nitrous oxide or local anesthesia - \$25
- Fee for a duplicate wall certificate - \$25
- Fee for a duplicate pocket card receipt - \$25
- Application fee for converting a temporary license to a permanent license - \$125
- Fee for an application packet for an examination - \$25
- Fee for an application packet for licensure by credentials - \$25

For questions regarding this information, contact the NSBDE Administrative Office at (702) 486-7044 or 800-337-3926.

*Nevada clinical license examination fee for dental is \$600, and \$150 for dental hygiene, exclusive of school fees, lab fees, and associated examination expenses.